

## Message Text

LIMITED OFFICIAL USE

PAGE 01 LUSAKA 00218 271234Z

44

ACTION L-03

INFO OCT-01 AF-06 EUR-12 ISO-00 OPIC-03 EB-07 ABF-01 FS-01

OMB-01 TRSE-00 /035 W

----- 047245

R 261616Z JAN 76

FM AMEMBASSY LUSAKA

TO SECSTATE WASHDC 2724

INFO AMEMBASSY PARIS

LIMITED OFFICIAL USE LUSAKA 0218

PARIS FOR RFC

DEPT FOR L/M - MR. MALMBORG

DEPT PASS OPIC

EO 11652: N/A

TAGS: CFED, ZA, EFIN

SUBJECT: TAW PAYMENTS TO EMBASSY

REF: 75 STATE 303677

1. FOLLOWING RECEIPT REFTEL, EMBOFFS DISCUSSED POSSIBILITY OF OBTAINING GRZ ASSURANCE ON OPIC'S CONTEMPLATED PAYMENT PLAN WITH FINANCE MINISTRY OFFICIALS JAN 6 AND 8. MINFIN PERMSEC JAN 8 SUGGESTED SENDING FORMAL LETTER TO HIM REQUESTING OPINION. BEFORE DOING SO EMBASSY ASKED GRINDLAYS BANK JAN 9 FOR OPINION REGARDING LANGUAGE PROPOSED REFTEL. GRINDLAYS REPLY RECEIVED JAN 23 ADVISED THAT PROPOSED LANGUAGE IS OVERLY AMBITIOUS IN REQUESTING AUTHORIZATION TRANSFER FUNDS FROM TAW ACCOUNT TO "ANY BANK ACCOUNT HELD BY EMBASSY." SINCE AUTHORIZATION TO TRANSFER TAW FUNDS TO EMBASSY EXTERNAL ACCOUNT WOULD ALSO REQUIRE CONSENT FROM FOREIGN EXCHANGE CONTROL AUTHORITY AND MIGHT APPEAR AS EFFORT CIRCUMVENT NORMAL PROCEDURE FOR APPLYING FOR REPATRIATION OF FUNDS DIRECTLY TO BANK OF ZAMBIA (AS DESCRIBED 75 LUSAKA 2164 AND 2271), REPLY FROM MINFIN TO OUR LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 LUSAKA 00218 271234Z

REQUEST WOULD VERY LIKELY BE TIME CONSUMING AND NEGATIVE. IF

OUR LETTER LIMITED TO REQUEST FOR RULING ON LEGALITY OF TRANSFER BY TAW TO INTERNAL "SUSPENSE" ACCOUNT, WE WOULD MORE LIKELY GET MORE PROMPT AND FAVORABLE REPLY, THUS ACCOMPLISHING PRIMARY PURPOSE OF OPIC PLAN TO GAIN CONTROL OVER TAW RBA HERE.

2. ACCORDINGLY, GRINDLAYS RECOMMENDS FOLLOWING LANGUAGE INSTEAD OF THAT PROPOSED REFTEL AS FORM OF WRITTEN ASSURANCE WHICH WE HOPE ELICIT FROM MINFIN: QUOTE. THE AUTHORITY OF THE MINISTER OF FINANCE OF THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA IS HEREBY GIVEN UNDER (APPROPRIATE LAW AND SECTION) FOR TAW INTERNATIONAL LEASING, INC., P.O. BOX 3831, LUSAKA, TO TRANSFER K.....TO A BLOCKED SUSPENSE ACCOUNT WITH GRINDLAYS BANK INTERNATIONAL (ZAMBIA) LTD., LUSAKA IN THE NAME OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION, AN AGENCY OF THE UNITED STATES GOVERNMENT, IN REPAYMENT OF DEBTS OWED BY TAW TO OPIC. THESE FUNDS ARE TO BE HELD BY GRINDLAYS INTERNATIONAL (ZAMBIA) LTD., AND MAY ONLY BE RELEASED ON THE WRITTEN AUTHORITY OF THE MINISTRY OF FINANCE OR THROUGH AUTHORITY DELEGATED BY THE BANK OF ZAMBIA. UNQUOTE.

3. LANGUAGE PROPOSED BY GRINDLAYS MAY BE EASIER FOR MINFIN TO ANSWER, WITHOUT COMPLICATING SITUATION FURTHER, BUT REQUEST DEPARTMENT'S GUIDANCE BEFORE PROCEEDING. E.G. GRINDLAYS RECOMMENDS CITING SPECIFIC AMOUNT OF FUNDS INVOLVED. ACCORDING TO STANDARD BANK, CURRENT RBA BALANCE IS K360,358 (ABOUT \$560,000). SHOULD ALL OR PART OF THIS BE CITED AS DUE OPIC? PLEASE ADVISE.  
WILKOWSKI

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DEBT REPAYMENTS, FINANCIAL PROGRAMS, BANK ACCOUNTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 26 JAN 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** morefirh  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976LUSAKA00218  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760030-0950  
**From:** LUSAKA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760122/aaaaastw.tel  
**Line Count:** 89  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 STATE 303677  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** morefirh  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 22 APR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <22 APR 2004 by BoyleJA>; APPROVED <14 MAY 2004 by morefirh>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** TAW PAYMENTS TO EMBASSY  
**TAGS:** CFED, EFIN, ZA, OPIC, TAW  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006